

PATENTREMARKS

Claims 1-62 are pending herein. In the Office Action, claim 7 was objected to because of an informality, claims 1-5, and 55-58 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, claims 6-13 and 59 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves in view of Teicher, claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves in view of Teicher and further in view of O'Leary, claims 15, 16, 60 and 62 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker, claims 17-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kinker and further in view of O'Leary, claims 20-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kramer, claims 23 and 61 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kramer and further in view of Kinker, claims 24-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves, Teicher and Kramer and further in view of O'Leary, claims 37-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher, claims 40-47, 49 and 50 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kramer, claim 48 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker, claim 51 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of O'Leary, claim 52 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of O'Leary, claim 53 was rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of Kinker, and claim 54 was

PATENT

rejected under 35 U.S.C. §103(a) as being unpatentable over Graves and Teicher and further in view of O'Leary.

Claim 7 was objected to because of an informality in that the alleged phrase "to the associating comprising associating" was clear. Applicant respectfully submits that the claim as written is proper and clear and that the language was simply misquoted. The initial word "to" in the quote does not appear in the original claim, so that the second element of the claim simply reads "the associating comprising associating the activated card number with the new cash account." The reference to "the associating" has clear antecedent basis to claim 6, which includes the element "associating the activated card number with a cash account", so that the quoted portion of claim 7 is further expounding upon the "associating" element of claim 6. Applicant notes that the line number "10" appears in the left margin on the same line, so that it may have been confused as being the word "to" appended to the language of the claim. In any event, Applicant respectfully submits that claim 7 is proper as is and requests withdrawal of this objection.

Applicant respectfully traverses the §103(a) rejection of claims 1-5, and 55-58 based on Graves.

Claim 1 recites a "method of enabling transactions with cash cards via a charge settlement network." As described beginning on page 17, line 12 of the application as filed, the term "charge settlement network" refers to the Electronic Funds Transfer (EFT) network or the Automated Clearing House (ACH) network used by merchants (brick & mortar, online, etc.) to authorize, clear, settle, etc., transactions being conducted in association with charge numbers, such as standard debit or credit numbers provided on charge cards. Claim 1 further recites receiving "valid charge numbers" from an issuing

PATENT

bank, configuring an issuing system to interface the charge settlement network and to operate as processor of the valid charge numbers (which includes card numbers), and configuring the charge settlement network to route card numbers (valid numbers provided on the cards) to the issuing system as "certified processor."

Graves does not show or describe receiving valid charge numbers from an issuing bank, providing valid charge numbers on cash cards as card numbers, and configuring the charge settlement network to route the card numbers to the issuing system as certified processor. Note that the valid charge numbers received from the issuing bank are routed on the charge settlement network to the issuing system and not the issuing bank and that the issuing system operates as certified processor in lieu of the issuing bank. FIGs 1-3 of Graves illustrates the typical configuration in which a Host Bank 20 is interposed between the merchants or "locations" and the System 14. If the Host Bank 20 issues the numbers to be transferred via the communications network 10, then the numbers are routed to the Host Bank 20 as certified processor for the numbers.

Graves discusses another "link architecture" such as a "host-to-host architectural connection" (col. 6, line 66 to col. 7, line 8), but note that in this case the Graves system does not require any "host bank or Visa network" to transfer card-related data (col. 7, lines 5-8). In other words, the card-related data does not include a valid charge number received from the host bank or at least the data is not transferred via the "Visa network", being the charge settlement network.

In col. 12, lines 18-42 Graves discusses a "Fastcard" system which appears to employ a "major credit card network." Yet in this case, the transaction is still routed to the bank, but the bank does not view the transaction as a "standard transaction." Thus, if

PATENT

the transaction is via the charge settlement network, the bank is still the certified processor and not the system 14. Further, this alternative configuration is non-standard and potentially causes discrepancies in reports between terminals and banks, which is handled by using distinct decline messages (line 30). Such a system is complicated by requiring the merchant to view a particular decline message as a successful transaction. In contrast, claim 1 describes a more beneficial and useful system in which the card number is routed by the charge settlement network to the issuing system as certified processor, which either accepts or declines the transaction in standard fashion, which is not shown or described in Graves.

Applicant respectfully submits that claim 1 is allowable over Graves. Claims 2-5 are allowable as depending upon an allowable base claim. Applicant requests withdrawal of this rejection.

The method recited in claim 55 is allowable over Graves for similar reasons recited above for claim 1. In this case, the issuing system is configured to interface the charge settlement network and to operate as processor, where the charge settlement network is configured to route a card number to the issuing system as certified processor. Again, Graves does not show or describe configuring the charge settlement network to route card numbers to the issuing system as certified processor, so that claim 55 is allowable over Graves. Claims 56-58 are allowable over Graves as depending upon allowable base claim 55. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 6-13 and 59 based on Graves and Teicher. Teicher does not overcome the deficiencies of Graves described above regarding claim 1, so that claims 6-13 are allowable over Graves and Teicher as

PATENT

depending upon allowable claim 1. Claim 59 is allowable over Graves and Teicher as depending upon allowable claim 55. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claim 14 based on Graves, Teicher and O'Leary. O'Leary also does not overcome the deficiencies of Graves or Teicher described above regarding claim 1, so that claim 14 is allowable over Graves, Teicher and O'Leary as depending upon allowable claim 1. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 15, 16, 60 and 62 based on Graves, Teicher and Kinker. Kinker also does not overcome the deficiencies of Graves or Teicher described above regarding claims 1 or 55, so that claims 15 and 16 are allowable over Graves, Teicher and Kinker as depending upon allowable claim 1 and claims 60 and 62 are allowable over Graves, Teicher and Kinker as depending upon allowable claim 55. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 17-19 based on Graves, Teicher, Kinker and O'Leary. Claims 17-19 are allowable over Graves, Teicher, Kinker and O'Leary as depending upon allowable claim 1 and Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 20-22 based on Graves, Teicher and Kramer.

Since Kramer does not overcome the deficiencies of Graves, claim 20 is allowable over Graves, Teicher and Kramer for similar reasons recited above for claim 1. These references, alone or in combination, do not show or suggest a method of enabling

PATENT

transactions via a charge settlement network and an electronic communications network as recited in claim 20, including receiving a plurality of valid charge numbers from an issuing bank, configuring an issuing system to interface the charge settlement network and to operate as processor of the plurality of valid charge numbers, and configuring the charge settlement network to route any of the plurality of valid charge numbers to the issuing system as certified processor. Claims 21 and 22 are allowable over Graves, Teicher and Kramer as depending upon allowable base claim 20. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 23 and 61 based on Graves, Teicher, Kramer and Kinker. Claim 23 is allowable over Graves, Teicher, Kramer and Kinker as depending upon allowable base claim 20, and claim 61 is allowable over Graves, Teicher, Kramer and Kinker as depending upon allowable base claim 55. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 24-36 based on Graves, Teicher, Kramer and O'Leary. Claims 24-36 are allowable over Graves, Teicher, Kramer and O'Leary as depending upon allowable base claim 20. Applicant requests withdrawal of this rejection.

Claim 37 is amended to recite that the plurality of valid charge numbers are received from an issuing bank and that the processor program enables the issuing system to operate as certified processor for the plurality of valid charge numbers. Amended claim 37 is allowable over Graves and Teicher for similar reasons recited above for claim 1. Graves and Teicher do not show or suggest a transaction system that enables cash card transactions via a charge settlement network, where the transaction system includes an

PATENT

issuing system with a storage device that stores a plurality of valid charge numbers received from an issuing bank and a processor program for interfacing the charge settlement network that enables the issuing system to operate as certified processor for the plurality of valid charge numbers. Claims 38 and 39 are allowable over Graves and Teicher as depending upon allowable base claim 37. Applicant respectfully submits that this rejection has been overcome and should be withdrawn.

Claims 37 and 39 are also amended to correct an inadvertent grammar error "an charge settlement network" to "an charge settlement network." Applicant requests approval of this amendment.

Applicant respectfully traverses the §103(a) rejection of claims 40-47, 49 and 50 based on Graves, Teicher and Kramer. Kramer does not overcome the deficiencies of Graves and Teicher relative to claim 37 and claims 40-47, 49 and 50 are allowable as being dependent upon allowable base claim 37. Applicant requests withdrawal of this rejection.

Applicant respectfully traverses the §103(a) rejection of claims 48 and 53 based on Graves, Teicher and Kinker. Kinker does not overcome the deficiencies of Graves and Teicher relative to claim 37 and claims 48 and 53 are allowable as being dependent upon allowable base claim 37. Applicant requests withdrawal of these rejections.

Applicant respectfully traverses the §103(a) rejection of claims 51, 52 and 54 based on Graves, Teicher and O'Leary. O'Leary does not overcome the deficiencies of Graves and Teicher relative to claim 37 and claims 51, 52 and 54 are allowable as being dependent upon allowable base claim 37. Applicant requests withdrawal of these rejections.

PATENTCONCLUSION

Applicant respectfully submits that for the reasons recited above and for various other reasons, the rejections and objections have been overcome and should be withdrawn. Applicant respectfully submits therefore that the present application is in a condition for allowance and reconsideration is respectfully requested. Should this response be considered inadequate or non-responsive for any reason, or should the Examiner have any questions, comments or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone conference.

Respectfully submitted,

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